

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Desai et al. Serial No.: 10/616,709 Filed: 10 Jul 2003 Title: Propofol Formulations With Non-Reactive Container Closures Attorney Docket No.: APP01_005_US	Group Art Unit: 1654 Examiner: Roy R. Teller
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

Dear Sir:

Submitted with this letter is an Information Disclosure Statement listing information for consideration in the above-identified application, along with a copy of each listed reference as required under 37 C.F.R. § 1.98(a)(2). It is respectfully requested that the information disclosed be considered by the Examiner and made of record in this application.

The included Information Disclosure Statement is submitted:

- ☒ under 37 C.F.R. § 1.97(b), (1) within 3 months of filing date of a national application; (2) within 3 months of date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; (3) before the mailing date of a first Office Action on the merits; or (4) before the mailing date of a first Office Action after the filing of a request for continued examination under 37 C.F.R. §1.114, whichever occurs last. (No fee)
- ☐ under 37 C.F.R. § 1.97(c) after the mailing date of a first Office Action but before (1) mailing of a final action under 37 C.F.R. §1.113; or (2) mailing of a notice of allowance under §1.311, whichever occurs first.
- ☐ Payment for the fee set forth in 37 C.F.R. §1.17(p) accompanies this submission; or
- ☐ The certification specified in 37 C.F.R. §1.97(e)(1) or (2) is made below. (No fee)

- ☐ under 37 C.F.R. § 1.87(d) after the mailing of (1) a final action under 37 C.F.R. § 1.113; or (2) a notice of allowance under 37 C.F.R. § 1.311 whichever occurs first, but **before** payment of the issue fee. The certification specified in 37 C.F.R. § 1.97(e)(1) or (2) is made below and payment for the fee set forth in 37 C.F.R. § 1.17(p) accompanies this submission.
- ☐ This application is a continuation, divisional, or continuation-in-part application filed under 37 C.F.R. § 1.53(b) of serial no. _____, which is relied on for an earlier effective file date. Accordingly, all information previously submitted to and/or cited by the Examiner is not provided under 37 C.F.R. § 1.98(d). If this information was previously considered by the Office in a parent application, this submission is made for the purpose that the information be printed on this application.
- ☐ The undersigned counsel for applicant(s) certifies under 37 C.F.R. § 1.97(e)(1) that each item of information identified in the Information Disclosure Statement was first cited in a communication from a foreign Patent Office in a counterpart foreign application, serial no. _____, not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ The undersigned counsel for applicant(s) certifies under 37 C.F.R. § 1.97(e)(2) that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart foreign application, or to the knowledge of the undersigned, after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- ☐ Credit Card Payment is being made through RAM to cover the required fees.
- ☐ A Credit Card Payment Form is enclosed to cover the required fees.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this submission, or credit any overpayment to Deposit Account No. 50-4211.

I certify that this Correspondence is being deposited with the United States Postal service with sufficient postage for first class mail in an envelope address to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or the correspondence is being facsimile transmitted to the USPTO, or the correspondence is being filed through the EFS on the date indicated below.

Date of Deposit: December 16, 2010
Typed Name: Jonathan P. Taylor

Signature: /Jonathan P. Taylor Reg. No. 48,338/

Respectfully submitted,

/Jonathan P. Taylor Reg. No. 48,338/

Jonathan P. Taylor
Attorney/Agent for Applicant(s)
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Date: December 16, 2010
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